

PATENT COOPERATION TREATY

From the INTERNATIONAL BUREAU

PCT

NOTIFICATION CONCERNING
TRANSMITTAL OF COPY OF INTERNATIONAL
PRELIMINARY REPORT ON PATENTABILITY
(CHAPTER I OF THE PATENT COOPERATION
TREATY)

(PCT Rule 44bis.1(c))

05-597-A

To:

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RÉPUBLIQUE DE CORÉE

Date of mailing (day/month/year)

09 February 2006 (09.02.2006)

Applicant's or agent's file reference

FE241483

IMPORTANT NOTICE

International application No.

PCT/KR2004/001851

International filing date (day/month/year)

23 July 2004 (23.07.2004)

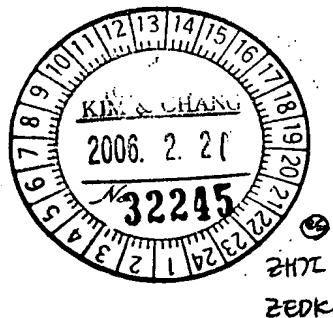
Priority date (day/month/year)

24 July 2003 (24.07.2003)

Applicant

UTStarcom Korea Limited et al

The International Bureau transmits herewith a copy of the international preliminary report on patentability (Chapter I of the Patent Cooperation Treaty)



The International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland

Authorized officer

Philippe Becamel

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PATENT COOPERATION TREATY

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INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

| | | |
|--|--|--|
| Applicant's or agent's file reference FE241483 | FOR FURTHER ACTION | See item 4 below |
| International application No. PCT/KR2004/001851 | International filing date (<i>day/month/year</i>) 23 July 2004 (23.07.2004) | Priority date (<i>day/month/year</i>) 24 July 2003 (24.07.2003) |
| International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237 | | |
| Applicant UTStarcom Korea Limited | | |

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|-------------------------------------|--|---|-----------|---------------------|--------------------------|------------|----------|--------------------------|-------------|--|--------------------------|------------|----------------------------|-------------------------------------|-----------|---|--------------------------|------------|-------------------------|--------------------------|-------------|--|--------------------------|--------------|---|
| 1. | This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 <i>bis</i> .1(a). | | | | | | | | | | | | | | | | | | | | | | | | |
| 2. | This REPORT consists of a total of 4 sheets, including this cover sheet. In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead. | | | | | | | | | | | | | | | | | | | | | | | | |
| 3. | <p>This report contains indications relating to the following items:</p> <table style="width: 100%;"> <tr> <td style="width: 10%;"><input checked="" type="checkbox"/></td> <td style="width: 40%;">Box No. I</td> <td style="width: 50%;">Basis of the report</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. II</td> <td>Priority</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. III</td> <td>Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. IV</td> <td>Lack of unity of invention</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>Box No. V</td> <td>Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. VI</td> <td>Certain documents cited</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. VII</td> <td>Certain defects in the international application</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. VIII</td> <td>Certain observations on the international application</td> </tr> </table> | <input checked="" type="checkbox"/> | Box No. I | Basis of the report | <input type="checkbox"/> | Box No. II | Priority | <input type="checkbox"/> | Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability | <input type="checkbox"/> | Box No. IV | Lack of unity of invention | <input checked="" type="checkbox"/> | Box No. V | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement | <input type="checkbox"/> | Box No. VI | Certain documents cited | <input type="checkbox"/> | Box No. VII | Certain defects in the international application | <input type="checkbox"/> | Box No. VIII | Certain observations on the international application |
| <input checked="" type="checkbox"/> | Box No. I | Basis of the report | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> | Box No. II | Priority | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> | Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> | Box No. IV | Lack of unity of invention | | | | | | | | | | | | | | | | | | | | | | | |
| <input checked="" type="checkbox"/> | Box No. V | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> | Box No. VI | Certain documents cited | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> | Box No. VII | Certain defects in the international application | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> | Box No. VIII | Certain observations on the international application | | | | | | | | | | | | | | | | | | | | | | | |
| 4. | The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2). | | | | | | | | | | | | | | | | | | | | | | | | |

| | | | | |
|---|--|---|--|--------------------------------|
| The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. +41 22 740 14 35 | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 5px;">Date of issuance of this report 30 January 2006 (30.01.2006)</td> </tr> <tr> <td style="padding: 5px;">Authorized officer Philippe Becamel</td> </tr> <tr> <td style="padding: 5px;">Telephone No. +41 22 338 70 90</td> </tr> </table> | Date of issuance of this report 30 January 2006 (30.01.2006) | Authorized officer Philippe Becamel | Telephone No. +41 22 338 70 90 |
| Date of issuance of this report 30 January 2006 (30.01.2006) | | | | |
| Authorized officer Philippe Becamel | | | | |
| Telephone No. +41 22 338 70 90 | | | | |

COPY FOR IB

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

REC'D 01 NOV 2004

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WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:

YOON, Jee Hong

Hannuri Bldg. 219 Naeja-dong, Chongno-gu, Seoul 110-053,
Republic of Korea

Date of mailing
(day/month/year) 25 OCTOBER 2004 (25.10.2004)

Applicant's or agent's file reference

FE241483

FOR FURTHER ACTION

See paragraph 2 below

International application No.

PCT/KR2004/001851

International filing date (day/month/year)

23 JULY 2004 (23.07.2004)

Priority date(day/month/year)

24 JULY 2003 (24.07.2003)

International Patent Classification (IPC) or both national classification and IPC

IPC7 H04B 7/26

Applicant

UTStarcom Korea Limited et al

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/KR



Korean Intellectual Property Office
920 Dunsan-dong, Seo-gu, Daejeon 302-701,
Republic of Korea

Facsimile No. 82-42-472-7140

Authorized officer

SHIN, Jun Ho

Telephone No. 82-42-481-8129



**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/KR2004/001851

Box No. I Basis of this opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ This opinion has been established on the basis of a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).

2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

a. type of material

- ☐ a sequence listing
☐ table(s) related to the sequence listing

b. format of material

- ☐ in written format
☐ in computer readable form

c. time of filing/furnishing

- ☐ contained in the international application as filed.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority for the purposes of search.

3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/KR2004/001851

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

| | | | |
|-------------------------------|--------|--------|-----|
| Novelty (N) | Claims | 1 - 13 | YES |
| | Claims | NONE | NO |
| Inventive step (IS) | Claims | NONE | YES |
| | Claims | 1 - 13 | NO |
| Industrial applicability (IA) | Claims | 1 - 13 | YES |
| | Claims | NONE | NO |

2. Citations and explanations :

Reference is made to the following document:

D1: JP 07-274240 (20 October 1995)

D1, which is considered to represent the closest prior art, discloses a communication system in which a host computer side recognizes where a portable terminal equipment exists. The portable terminal equipment includes a radio transceiver for communicating with a radio master station which is connected to the host computer, a receiver for receiving signals from beacon oscillators. A position signal of each beacon oscillator received by the receiver and an identification signal of the portable terminal equipment are transmitted to the host computer via the radio transceiver and the radio master station (D1, abstract). The host computer recognizes the position of the portable terminal equipment by the transmitted signals (D1, paragraph [0009]).

The subject matter of claim 1 differs from that of D1 in that the system of said claim uses a pilot strength measurement message (PSMM) signal. However, it is obvious to a person skilled in the communication system to use a PSMM signal. Therefore, claim 1 is considered to lack an inventive step.

The additional features of dependant claims 2-8 are simple design details which are well known to a person skilled in the CDMA communication system. Therefore, claims 2-8 are considered to lack an inventive step.

Claim 9 relates to a method using the system of claim 1. Therefore, claim 9 is considered to lack an inventive step (see claim 1).

The additional features of dependant claims 10-13 are simple design details which are well known to a person skilled in the CDMA communication system. Therefore, claims 10-13 are considered to lack an inventive step.